

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

AUSTIN, TEXAS

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APPLICATION FOR AMENDMENT
TO
CERTIFICATE OF ADJUDICATION
NO. 23-711

RIO GRANDE BASIN

2014 FEB 28 PM 12 14

WATER SUPPLY DIV.

RECEIVED

APPLICATION FOR AMENDMENT TO A WATER RIGHT

SHEERIN REAL PROPERTIES, LTD., a Texas limited partnership, 2409 E. Griffin Pkwy Ste. C, Mission, Hidalgo County, Texas 78572-3356 (hereinafter called "APPLICANT") hereby requests that its Water Rights to waters of the Rio Grande owned under Certificate of Adjudication No. 23-711, Rio Grande Watershed, Lower Rio Grande Basin (hereinafter called the "Water Rights" or "Certificate" respectively), be amended so as to change the purpose of use of the Water Rights to include, in addition to agricultural (irrigation) use, the use of water for mining use purposes with a change in diversion points to other points with respect to such mining use only, and as grounds for this Application would state as follows:

1. The Water Rights authorize the diversion of up to a maximum of 945.145 acre feet per annum for irrigation (agricultural) purposes from the Rio Grande on a Class "B" irrigation priority basis pursuant to the Certificate.
2. Applicant requests that the purpose of use of the Water Rights be changed by adding mining use as a purpose of use in addition to agricultural use.
3. Applicant requests that the point of diversion of the Water Rights for mining use purposes only under the Certificate be authorized to be diverted anywhere along the east bank of the Rio Grande, between Amistad Reservoir and the Gulf of Mexico in Val Verde, Kinney,

Maverick, Webb, Zapata, Starr, Hidalgo and Cameron Counties for mining use purposes (the "diversion segment"). The diversion segment is defined as follows:

- A. Upper limit of the diversion segment is located in Val Verde County at Latitude 29.431503°N, Longitude 101.044572°W; and
- B. Lower limit of the diversion segment is located in Cameron County at Latitude 25.955256°N, Longitude 97.146311°W.

The diversion point for the agricultural use rights shall remain the same, and no change in diversion point is requested with respect to the agricultural use rights under the Certificate.

4. Applicant understands that the use of water for agricultural and/or mining use purposes is intended for use by Applicant. All contracts for the sale of all or part of this water by the Applicant shall be filed with the Executive Director and found sufficient in accordance with Title 30 Texas Administrative Code 303.51-53 prior to the diversion of water. If the buyer is not currently a water right holder of record in the Middle or Lower Rio Grande, the buyer shall also apply for and be granted a water rights permit authorization, which may include a Temporary Water Use Permit, Contractual Permit, or an amendment to this Certificate of Adjudication.

5. No other amendments to the Water Rights under the Certificate are requested or involved herein.

6. The address of the Applicant is:

Sheerin Real Properties, Ltd.
2409 E Griffin Pkwy., Ste. C
Mission, Texas 78572-3356

7. Applicant does not owe any delinquent fees and/or penalties to the Commission, and understands that the Commission may require additional information in regards to the

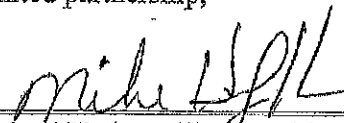
requested amendment of the Water Rights before considering this Application. Applicant is submitting the required fees herewith. Applicant's Federal Identification No. is 46-0596702.

8. Applicant states that the change in purpose of use and point of diversion as requested herein does not contemplate a use of water which would harm any other existing water right holders on the Rio Grande below Amistad and Falcon Reservoir and will not prejudice any other water right holders on the Rio Grande below Amistad and Falcon Reservoirs.

WHEREFORE, Applicant respectfully requests that this Application be approved, and that an Amendment to Certificate of Adjudication No. 23-711 be issued, changing the purpose of use and point of diversion of the water rights as requested above.

DATED this 16th day of April, 2014.


SHEERIN REAL PROPERTIES, LTD.
a Texas limited partnership,

By: 
Michael Hudsonpillar, President
Sheerin Real Properties, GP L.L.C., General
Partner

STATE OF TEXAS §
COUNTY OF HIDALGO §

16th SUBSCRIBED AND SWORN TO BEFORE ME by Michael Hudsonpillar on this the
day of April, 2014, in the capacity as stated, to certify which witness my hand and seal
of office.




Notary Public in and for the State of Texas

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